

In re Appln of ABE et al.
Application No. 10/892,539

REMARKS

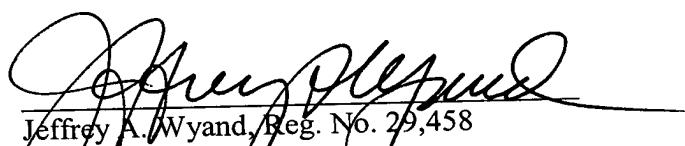
In response to the Official Action mailed January 14, 2003, Applicants provisionally elect the alleged species of Figures 10-13. Since claims 1-3 and 5-7 may be read upon these figures, those claims should be immediately examined. The Examiner acknowledged that claim 1 is a generic claim with respect to claims 1-7 and therefore claim 4 should be rejoined to the prosecution pursuant to 37 CFR 1.141 upon the allowance of claim 1.

The election is made with respect to the species of Figures 10-13, rather than the single figure cited by the Examiner in the Official Action. Figures 10-13 all pertain to the same structure but illustrate different cross-sectional views of that structure and therefore should be considered together.

The election is made with traverse. In view of the subject matter of the patent application, there is no undue burden placed upon the Examiner in examining claim 4 along with claims 1-7. Moreover, Applicants respectfully assert that the examination of claims 8-12, as well, would represent no undue burden and therefore request reconsideration and withdrawal of the species election requirement with respect to all of the embodiments of semiconductor devices in accordance with the claimed invention and depicted in the patent application.

Prompt and favorable action on the merits are earnestly solicited.

Respectfully submitted,



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